

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

LEEDS LP,	)	Case Nos. 08cv100-BTM (BLM)
	)	08cv110-BTM (BLM)
Plaintiff,	)	
v.	)	<b>ORDER GRANTING JOINT MOTION TO</b>
	)	<b>CONTINUE PRETRIAL CONFERENCE</b>
UNITED STATES OF AMERICA,	)	<b>AND RELATED DATES</b>
	)	
Defendant.	)	[Doc. No. 45; 08cv100-BTM
	)	(BLM)]
	)	[Doc. No. 46; 08cv110-BTM
	)	(BLM)]
FOURTH INVESTMENT LP,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

On September 23, 2009, parties to the above matters filed a joint motion to continue the pretrial conference and related dates. Doc. No. 45.<sup>1</sup> In support, the parties state that Plaintiff's current counsel recently substituted in for prior counsel, and therefore requires

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<sup>1</sup> The instant motions concerns two cases which share underlying facts, and arise from tax liens placed by the IRS on real properties owned by the respective Plaintiffs. The motions are identical, and the Court therefore treats them as one. Unless otherwise noted, all docket entries refer to the first-filed case, Leeds.

1 additional time to familiarize himself with this matter. Id. The  
2 parties also state that Plaintiff's new counsel has not yet received all  
3 of the relevant documents from prior counsel. Id. Therefore, the  
4 parties contend that an extension of time would permit counsel to better  
5 prepare himself for the Pretrial Conference. Good cause appearing, the  
6 parties' request is **GRANTED** as follows.

7 1. The parties must comply with the pretrial disclosure  
8 requirements of Fed. R. Civ. P. 26(a)(3) no later than **November 17,**  
9 **2009.** The parties should consult Fed. R. Civ. P. 26(a)(3) for the  
10 substance of the required disclosures.

11 **Please be advised that failure to comply with this section or any**  
12 **other discovery order of the Court may result in the sanctions provided**  
13 **for in Fed. R. Civ. P. 37, including a prohibition on the introduction**  
14 **of designated matters in evidence.**

15 2. No Memoranda of Contentions of Fact and Law are to be filed  
16 except in a bench trial. In that case, counsel shall serve on each  
17 other and file with the Clerk of the Court their Memoranda of  
18 Contentions of Fact and Law in compliance with Local Rule 16.1(f)(2) on  
19 or before **November 17, 2009.**

20 3. Counsel shall meet and confer regarding the contents of the  
21 pretrial order on or before **November 24, 2009.**

22 4. Counsel shall comply with the attached Order Setting Form of  
23 Pretrial Order in preparing the pretrial order.

24 5. The proposed final pretrial conference order, including  
25 written objections, if any, to any party's Fed. R. Civ. P. 26(a)(3)  
26 pretrial disclosures, shall be prepared, served, and submitted to the  
27 Clerk's Office on or before **December 8, 2009.** Such objections shall  
28 comply with the requirements of Fed. R. Civ. P. 26(a)(3). **Please be**

1 advised that the failure to file written objections to a party's  
2 pretrial disclosures may result in the waiver of such objections, with  
3 the exception of those made pursuant to Rules 402 (relevance) and 403  
4 (prejudice, confusion or waste of time) of the Federal Rules of  
5 Evidence.

6 6. The final pretrial conference is scheduled on the calendar of  
7 the Honorable Barry Ted Moskowitz on December 15, 2009 at 4:00 p.m. The  
8 trial date will be assigned by Judge Moskowitz at the pretrial  
9 conference.

10 7. The dates and times set forth herein will not be modified  
11 except for good cause shown.

12 **IT IS SO ORDERED.**

13  
14 DATED: September 24, 2009

A handwritten signature in black ink, appearing to read "Barbara L. Major", is written over a horizontal line.

16 BARBARA L. MAJOR  
17 United States Magistrate Judge  
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